

UNITED STATES DISTRICT COURT
DISTRICT OF NEVADA

10 INFINITE MASTER MAGNETIC,)
11 Plaintiff(s),) Case No. 2:16-cv-00639-JAD-NJK
12 vs.) **ORDER**
13 STATE OF NEVADA, et al.,)
14 Defendant(s).)

16 Plaintiff is proceeding in this action *pro se*, and has submitted documents in an effort to initiate this
17 case. Docket No. 1. Plaintiff has not, however, submitted the required filing fee or requested authority
18 pursuant to 28 U.S.C. § 1915 to proceed *in forma pauperis*. Plaintiff did submit a financial certificate used
19 by prisoners as part of an application to proceed *in forma pauperis*, but such a certificate standing alone
20 is not sufficient. In order to proceed with his case, Plaintiff must either pay the filing fee or submit the
21 complete affidavit required by § 1915(a) showing an inability to prepay fees and costs or give security for
22 them.

23 Plaintiff should carefully consider whether he would like to continue with this case. It appears that
24 Plaintiff was incarcerated at the time he filed his complaint, but has since been released from prison.
25 Compare Docket No. 1-2 with Docket No. 4. When a prisoner initiates a lawsuit, he is ultimately
26 responsible for paying the full amount of the filing fee even if he is granted *in forma pauperis* status. See
27 28 U.S.C. § 1915(b)(1). If a prisoner is released after initiating the lawsuit, he is still ultimately responsible
28 for paying the entirety of the fee. See, e.g., *Putzer v. Attal*, 2013 WL 4519351, *3 (D. Nev. Aug. 23, 2013)

1 (discussing split of authority). In the event that Plaintiff files a new application to proceed *in forma*
2 *pauperis*, the Court will screen his complaint and at that point he will be ultimately responsible for paying
3 the filing fee even in the event that his complaint is dismissed.

4 Accordingly,

5 **IT IS ORDERED:**

- 6 1. Plaintiff shall either make the necessary arrangements to pay the filing fee, accompanied by
7 a copy of this order, or file an Application to Proceed *in Forma Pauperis*.
8 2. Plaintiff must comply with this order no later than April 11, 2016. Failure to comply will
9 result a recommendation that this case be dismissed.

10 Dated: March 28, 2016

11 
12 NANCY J. KOPPE
13 UNITED STATES MAGISTRATE JUDGE